

Development Management

24th June 2021

Regeneration and Planning

London Borough of Camden

Objection: Intended Works to Tree(s) in a Conservation Area: App Ref: 2021/2963/T (121 Canfield Gardens, NW6 3DY)

Dear Sir/Madam,

Thank you for at least this time notifying neighbours by letter about Mr. Patrick McQuaid's intentions to fell a Sycamore tree in the South Hampstead Conservation Area. We object based on LPA Policy and Conservation Area Guidelines which provide the necessary protections against the proposed felling and which it behoves the Council to abide by for the benefit of residents/owners.

I refer the Council to its own South Hampstead Conservation Area Policy Document:

"The open green spaces of the private rear gardens and the communal gardens between terraces of houses remain undeveloped and are a very important amenity for local residents – both for those who look onto the spaces and those who have access to them. In some cases they are managed as natural wildlife spaces, in others as more formal parkland. These copses and gardens are a haven for wildlife with areas set aside as natural habitats, as well as picturesque herbaceous borders, flowering shrubs, fruit trees, communal vegetable plots and a number of mature trees. These private spaces, along with the green front gardens, are vital in providing wildlife corridors, enhancing biodiversity and reducing flood risk as well as in preserving the attractive, tranquil character of the conservation area."

- Camden council

Mr. McQuaid's stated reason for his anti-Conservation Area stance vis-à-vis felling a healthy Sycamore tree (**tree 1**) is to build yet more 'space' in his ever-shrinking rear garden – allegedly this time "to allow space for [a] shed/studio".

Mr. McQuaid 'has form' with regard to '**garden-grabbing**' with a highly controversial second rear extension to his garden flat at 121A Canfield Gardens in June 2019 which we argued involved deception of his neighbours at 84, 82 and 80 Priory Road by Mr. McQuaid, DLG Architects and poor compliance by the Council (see Application ref: 2018/6260/P). Indeed, he is a serial 'garden-grabber', who we argue is trampling on the residential amenity of neighbours and other protections by LPA Policy and Conservation Area Guidelines as well as the Council's obligations under UK Law. His last 'garden-grab' in 2019 is now destroying two large protected trees at the rear garden of 82 Priory Road secondary to his building extension's large steel and concrete pylons negatively impacting key roots to both large trees. By five years' time both trees should be trunks and branches only. This eventuality was entirely foreseeable and ignored at the planning application stage. That serious matter is currently under investigation and involves the Council.

His stated reason for reducing the crown of a second Sycamore tree (**tree 2**) by up to 3 metres – and we can be sure it will be all of 3 metres if approved - is that it is: "encroaching over neighbouring property". Really? Mr. McQuaid's reason appears weak again and is not supported by any evidence whatsoever. We speculate that he wishes for more light through tree 2 on a planned studio where tree 1 once stood. It is almost laughable. What is he planning next? A supermarket?

If the Council or Mr. McQuaid has any evidence whatsoever that an alleged 'neighbouring property' owner argues for significant or indeed any crown reduction of the sycamore tree (tree 2) because it is 'encroaching' on another property, then please provide it and do so quickly.

Otherwise, we suggest that Mr. McQuaid and his no doubt enthusiastic for-profit Tree Surgeon desist and stand down with their chain-saws and other unnecessary 'tools' in this Conservation Area.

At least we know that healthy trees grow and branch upward and outward – supposedly unincumbered / protected by Camden Council if they exist in the South Hampstead Conservation Area. Mr. McQuaid may not know or care what trees naturally do or indeed that he is living in a Conservation Area, let alone know what a Conservation Area is. I am ignorant as to his level of education on such matters.

This planning application sets a negative precedent if allowed to proceed by creation of a '**domino effect' with other planning applications**: in future any applicant may argue for any healthy tree felling to "allow space for [a] shed/studio" or other building. One sees its negative impact straight away: quickly a Conservation Area becomes one in name only.

The Council has form here in allowing a negative domino effect to take hold: Mr. McQuaid's second rear building extension was allowed by the Council in part because it "would match the depth and height of the neighbouring rear extension at no. 199 Canfield Gardens. The rear extension at no. 119 was granted under appeal (ref. 2011/3875/P, APP/X5210/A/11/2165313 on 25/05/2012)" on the recommendation of a single non-stakeholder Council agent.

Mr. McQuaid has over-garden-grabbed enough and should be stopped where he breaches LPA Policy and Conservation Area Guidelines which we argue he is doing yet again. Perhaps he can consider a move to the countryside which can afford him more space and freedom just to build and build.

We watch with interest to see if this Council's questionable form continues. The Council needs to apply reason to reasonable arguments and objections, and to not whitewash 'decisions'.

Everyone - owner or resident - in this corner of the South Hampstead Conservation Area is a stakeholder. Mr McQuaid is not the sole stakeholder and the Council would do well to heed this fact.

With concern again for the intentions and integrity of the Council on this and similar matters in relation to its responsibilities under LPA Policy and Conservation Area Guidelines, as much as for neighbours like Mr. McQuaid who serially garden-grab in Conservation Areas apparently unchained. Mr. McQuaid can leave healthy trees alone or try living in Tokyo.

Best regards,

Bernard Cummings

Neighbour and Owner
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